

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

ANDRE PORTER,)	
)	
Plaintiff,)	Case No.
)	
vs.)	
)	
RONALD FIELDSON, and)	JURY TRIAL DEMANDED
FORWARD AIR, INC.,)	
)	
Defendants,)	

NOTICE OF REMOVAL

COMES NOW Defendant, Ronald Fieldson, by and through his attorneys, Roberts Perryman, P.C., and hereby files his Notice of Removal stating the following:

INTRODUCTION

1. A civil action has been commenced and is now pending in the Circuit Court of the City of St. Louis, State of Missouri, Case No. 2222-CC06553, wherein Andre Porter is the Plaintiff and Ronald Fieldson and Forward Air, Inc., are the Defendants.

2. This action is a civil action wherein Plaintiff has made claims for damages as a result of Defendants' alleged negligence in connection with a tractor trailer motor vehicle accident that occurred on September 17, 2021.

3. Defendant Ronald Fieldson was and is a citizen of Oklahoma.

4. Defendant, Forward Air, Inc is a Tennessee corporation with its principal place of business in Tennessee.

DIVERSITY OF CITIZENSHIP EXISTS

5. This action is a civil action, of which the United States District Courts have original jurisdiction pursuant to 28 U.S.C. § 1332 and is one which may be removed to this Court

by Defendant pursuant to 28 U.S.C. § 1441, and this is a civil action proceeding involving diversity of citizenship.

6. Plaintiff, Andre Porter, is a citizen of the State of Missouri.

7. Defendant, Forward Air, Inc., is a corporation with its principal place of business in Tennessee.

8. Defendant, Ronald Fieldson, is a citizen of Oklahoma.

THE AMOUNT IN CONTROVERSY HAS BEEN SATISFIED

9. The amount in controversy exceeds \$75,000.00 exclusive of interest and costs. Plaintiff Porter is claiming serious injuries to his neck and back, past medical and hospital expenses, future medical, future neck surgery of \$142,000.00, hospital and life care expenses, future post-surgery treatment, past lost wages, diminished earnings capacity, past and future emotional distress, pain and suffering, mental anguish, disfigurement, and past and future loss of enjoyment of life. Plaintiff has also made a demand of \$1,650,000.00.

10. Plaintiff has not agreed to stipulate that his damages are less than \$75,000.00.

NOTICE OF REMOVAL IS TIMELY

11. Less than thirty (30) days have elapsed since receipt of said initial pleadings by Defendant Fieldson. Defendant Forward Air, Inc. has not been served in this action but has consented to said removal.

12. Defendant files herewith a copy of all process, pleadings, and orders he has in this action. *See Exhibit A.*

WHEREFORE, Defendant, Ronald Fieldson, by and through counsel, prays the Court to accept his Notice for Removal, and make and enter such orders as may be necessary to affect the complete removal of this action from the Circuit Court of the City of St. Louis, State of Missouri,

to the United States District Court for the Eastern District of Missouri, and that further proceedings be discontinued in the State Court and all future proceedings be held in this Court, as the laws in such case provide.

Respectfully submitted,

ROBERTS PERRYMAN P.C.

/s/ Ted L. Perryman

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 9th day of August 2022, copies of the foregoing were served on the following counsel of record via the Court's ECF filing system:

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/s/ Ted L. Perryman